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*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 5388/2017 & CM APPL. 22738/2017

SUBHOD KUMAR Petitioner
Through: Ms. Saahila Lamba, Advocate.

versus

UNION OF INDIA AND ORS Respondents
Through: Mr. Vivek Goyal, Advocate with
Inspector M.M. Viswakarma, BSF.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN
HON'BLE MR. JUSTICE YOGESH KHANNA

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O R D E R
30.06.2017

Present writ petition has been filed seeking quashing of the Movement Order dated 10th June, 2017 issued by the respondent No.3 whereby the petitioner has been posted from 25th Battalion, BSF, Chawla Camp, New Delhi to 79th Battalion.

Petitioner also seeks a direction to respondents to take a compassionate view in the matter and to extend his posting at the present place by a period of one year.

Learned counsel for petitioner states that since petitioner's wife could not conceive for a long time, they resorted to IVF treatment at Lok Nayak Hospital New Delhi. She further states that since the Doctors are hopeful, the petitioner made a representation dated 24th March, 2017 to the

respondents seeking one year extension of his posting at the 25th Battalion. But the respondents ignoring the same have issued the impugned Movement Order transferring the petitioner.

Issue notice.

Mr. Vivek Goyal, learned counsel, who appears on advance notice on behalf of respondents, on instructions of Inspector M.M. Vishwakarma, BSF, states that the petitioner's representation dated 24th March, 2017 shall be decided within a period of two weeks. He further assures this Court that till the petitioner's representation is decided the impugned Movement Order dated 10th June, 2017 shall not be given effect to.

The statement made by learned counsel for respondents is accepted by this Court and respondents are held bound by the same.

In view thereof, present writ petition and application are disposed of.

Order dasti.

MANMOHAN, J
(Vacation Judge)

YOGESH KHANNA, J
(Vacation Judge)

JUNE 30, 2017
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